

NSP Demolition 2 and Asbestos Removal Updated Bid Information 3/2/10

- 1) Question: "I work with a trucking company/hauler who only pays their people every two weeks. In order to comply with the Fair Wage Requirements, do I need to have them pay their truck driver(s) weekly?"

Answer: According to our regional Department of Labor Compliance Officer... This is not a cut and dry answer but the guidance is as follows: If the truck driver is only assigned to the Town's project and spends his day either sitting or working on the site while the truck fills up or running back and forth to and from the disposal site *for this project only*, then the designated driver would be subject to all of the wage determination requirements. However, if the trucking company rotates drivers and the Town's project is only one of the stops the truck driver makes that day or he only spends *limited* time on site –say ½ hour to load and then drives off, dumps the load and does something else the rest of the time, then he would *not* fall under the wage determination and could be paid however he's normally paid.

If the truck driver is an owner/operator, there's a separate way to handle that as well –see Attachment 3 of IFB package on website for details.

- 2) The question was posed, "Is the Town aware of any W/MBEs or Section 3 (disadvantaged business) companies that perform asbestos mitigation? If so, could you share that information

Answer: We have not found or worked with any locally but there was a company in the Charleston area who contacted us and identified themselves as a woman-owned company. For whatever reason, they did not make it here for the pre-bid but this is their contact information:

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- 3) In addition, some good resources to find pre-certified W/MBEs and DBEs are:
- Governor's Office of Small & Minority Business Assistance, certified business listings: <http://www.govoepp.state.sc.us/osmba/directory.html>
 - Beaufort County Black Chamber of Commerce members list: <http://www.bcbcc.org/?id=1>
 - I am attempting to contact the County to see what kind of lists they have and/or if they've certified any local businesses
 - SC Dept of Transportation maintains a Unified Disadvantaged Business Enterprise Directory which can be accessed at: http://www.dot.state.sc.us/doing/Db_e_programs.shtml
- 4) I have heard some questions about local vendor preference or asking the Town to use more local labor on the project. On federally-funded projects, there is no such thing as "local vendor preference". *Code of Federal Regulations, part 18: Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments* states "Grantees and subgrantees will conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographic preferences in the evaluation of bids or proposals, except in those cases where Federal statutes expressly mandate or encourage geographic preference."
- 5) That brings us to another question/clarification: For this project, *all contractors and subcontractors must be US citizens and their company or the branch of their company performing the project must be located in South Carolina*. It has been federally-mandated that the portion of ARRA (economic stimulus) money that was given to SC for this grant stays in South Carolina.